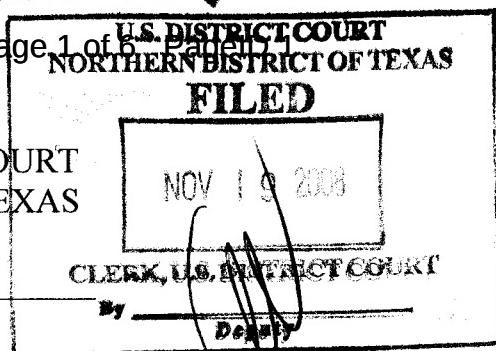


**SEALED****ORIGINAL**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

MATTHEW BAGERT

§  
§  
§  
§  
§No. **3 - 08 CR 341 - L**Filed Under SealINDICTMENT

The Grand Jury Charges:

Count OneReceipt of Child Pornography  
(Violation of 18 U.S.C. § 2252(a)(2))

On or about January 27, 2005, in the Dallas Division of the Northern District of Texas and elsewhere, the defendant, **Matthew Bagert**, knowingly received a visual depiction of a minor engaged in sexually explicit conduct, the production of which involved the use of a minor engaged in sexually explicit conduct, that had been mailed, shipped and transported in interstate and foreign commerce by any means, including by computer, to wit: **Bagert** used the internet to download the following four files that depict the lascivious exhibition of the genitals and pubic area of said minors, as defined in 18 U.S.C. § 2256:

<b>File name</b>	<b>Description of image</b>
bsam1-26.jpg	Image depicting the lascivious exhibition of the genitals of a nude minor male standing

bsam1111.jpg	Image depicting the lascivious exhibition of the genitals of a nude minor male sitting down
bsam1120.jpg	Image depicting the lascivious exhibition of the genitals of a nude minor male reclining on a bed
bsam2-19.jpg	Image depicting the lascivious exhibition of the genitals of a nude minor male with legs splayed open

In violation of 18 U.S.C. § 2252(a)(2).

Count Two  
Possession of Child Pornography  
(Violation of 18 U.S.C. § 2252(a)(4)(B))

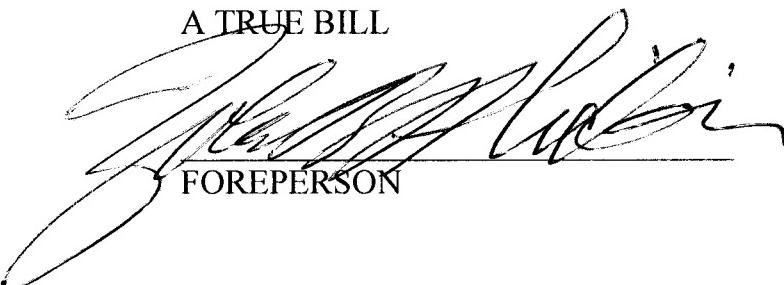
On or about February 1, 2005, in the Dallas Division of the Northern District of Texas and elsewhere, the defendant, **Matthew Bagert**, knowingly possessed material, specifically, a Samsung hard disk drive, that contained more than three visual depictions of minors engaged in sexually explicit conduct that had been mailed, shipped, and transported in interstate and foreign commerce, including by computer and which were produced using materials that had been mailed, transported, and shipped in interstate and foreign commerce.

Included in the images possessed by **Bagert** were the following four described computer files, which depict the lascivious exhibition of the genitals and pubic area of said minors, as defined in 18 U.S.C. § 2256:

File name	Description of the image
bsam 2-28.jpg	lascivious exhibition of the genitals of a seated nude minor male
bsam 3-19.jpg	lascivious exhibition of the genitals of a nude minor male leaning against book shelves
bsam 3-24.jpg	lascivious exhibition of the genitals of a nude minor male
bsam 4-05.jpg	lascivious exhibition of the genitals of a nude prepubescent male seated on a wooden object

In violation of 18 U.S.C. § 2252(a)(4)(B).

A TRUE BILL



Richard B. Roper  
FOREPERSON

RICHARD B. ROPER  
UNITED STATES ATTORNEY



Aisha Saleem  
AISHA SALEEM  
Assistant United States Attorney  
Texas State Bar No. 00786218  
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ORIGINAL

Case 3:08-cr-00341-L Document 1 Filed 11/19/08

SEALED

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS.

Page 5 of 6 PageID 5

FILED

NOV 19 2008

TEXAS U.S. DISTRICT COURT

By \_\_\_\_\_

Deputy

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS, U.S. DISTRICT COURT  
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

**3-08 CR 341-L**

MATTHEW BAGERT (1)

SEALED INDICTMENT

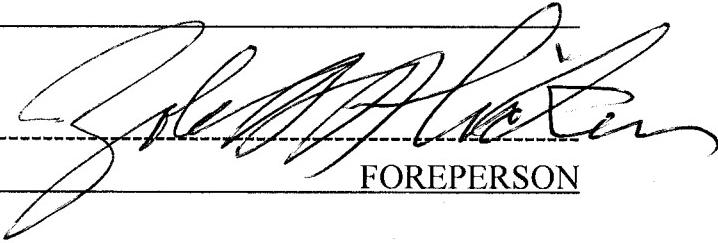
18 U.S.C. § 2252(a)(2)  
Receipt of Child Pornography

18 U.S.C. § 2252(a)(4)(B)  
Possession of Child Pornography

2 Counts

A true bill rendered:

DALLAS

  
Foreperson

Filed in open court this 19 day of \_\_\_\_\_, A.D. 2008.

Clerk

Issue Arrest Warrant for MATTHEW BAGERT

UNITED STATES DISTRICT/MAGISTRATE JUDGE  
No Pending Criminal Complaint

~~SEALED 3-08-CR-341-L~~

## Related Case Information

Superseding Indictment:  Yes  No New Defendant:  Yes  NoPending CR Case in NDTX:  Yes  No If Yes, number: \_\_\_\_\_Search Warrant Case Number N/AR 20 from District of N/AMagistrate Case Number N/A

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF TEXAS

1. ~~ORIGINAL~~ Defendant InformationJuvenile:  Yes  No

If Yes, Matter to be sealed:

 Yes  NoDefendant Name MATTHEW BAGERT (1)

Alias Name \_\_\_\_\_

Address \_\_\_\_\_

County in which offense was committed: Dallas

## 2. U.S. Attorney Information

AUSA Aisha Saleem Bar # TX Bar No. 00786218

## 3. Interpreter

 Yes  No If Yes, list language and/or dialect: \_\_\_\_\_

## 4. Location Status

## Issue Arrest Warrant

- Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_  
 Already in State Custody  
 On Pretrial Release

## 5. U.S.C. Citations

Total # of Counts as to This Defendant: 2  Petty  Misdemeanor  Felony

Citation	Description of Offense Charged	Count(s)
18 U.S.C. § 2252(a)(2)	Receipt of Child Pornography	1
18 U.S.C. § 2252(a)(4)(B)	Possession of Child Pornography	2

Date 11/6/08Signature of AUSA: Aisha Saleem